

# 2023 Proposed Constitutional Amendments

Election Date: October 14, 2023

<b>Proposed Amendment No. 1</b>	<b>Do you support an amendment to prohibit the use of funds, goods, or services from a foreign government or a nongovernmental source to conduct elections and election functions and duties unless the use is authorized by the secretary of state through policies established in accordance with law?</b>
	<p><a href="#">2023 Regular Session, ACT 200 (HB 311)</a></p> <p><u>Existing constitution</u> provides that the legislature shall adopt an election code providing for the permanent registration of voters and for the conduct of all elections.</p> <p><u>Proposed constitutional amendment</u> prohibits the use of funds and resources from a foreign government or a nongovernmental source for the conduct of elections unless provided for in the election code and subject to restrictions provided by general law.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on October 14, 2023.</p> <p>(Adds Const. Art. XI, §6)</p>
<b>Proposed Amendment No. 2</b>	<b>Do you support an amendment to provide that the freedom of worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection?</b>
	<p><a href="#">2023 Regular Session, ACT 30 (SB 63)</a></p> <p><u>Present constitution</u> provides that no law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.</p> <p><u>Proposed constitutional amendment</u> provides that the freedom to worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection.</p> <p><u>Proposed constitutional amendment</u> retains <u>present constitution</u> and clarifies that <u>proposed constitutional amendment</u> is not intended to alter or limit the free exercise of religion guaranteed in the <u>present constitution</u>.</p> <p><u>Proposed constitutional amendment</u> further provides that if the state or local government acts in a manner contrary to the <u>proposed constitutional amendment</u>, a court hearing the challenge to that governmental action is to apply the standard of strict scrutiny, unless a higher level of protection is recognized and applied by the court.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on October 14, 2023.</p> <p>(Adds Const. Art. XII, §17)</p>

<p><b>Proposed Amendment No. 3</b></p>	<p><b>Do you support an amendment to require that a minimum of twenty-five percent of any money designated as nonrecurring state revenue be applied toward the balance of the unfunded accrued liability of the state retirement systems?</b></p>
	<p><a href="#">2023 Regular Session, ACT 107 (HB 47)</a></p> <p><u>Existing constitution</u> limits the ability of the legislature to spend state nonrecurring revenue to six particular items. Further provides that one allowable use of nonrecurring revenue is extra payments toward the Unfunded Accrued Liability (UAL) of public retirement systems, above payments otherwise required by <u>existing constitution</u>. Additionally prohibits use of such funds to directly or indirectly finance cost-of-living adjustments.</p> <p><u>Present constitution</u> further requires that for FY 13-14 and 14-15 the legislature appropriate no less than 5% of nonrecurring state revenues to the UAL of the La. State Employees' Retirement System (LASERS) and the Teachers' Retirement System of La. (TRSL) that existed on June 30, 1988 (IUAL). <u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> further requires that for FY 2015-2016 and beyond, the legislature appropriate a minimum of 10% of nonrecurring state revenue to the IUAL of LASERS and TRSL. <u>Proposed constitutional amendment</u> terminates the required 10% minimum appropriation after FY 2023-24.</p> <p><u>Proposed constitutional amendment</u> further requires the legislature, beginning FY 2024-2025 and continuing each fiscal year thereafter, to appropriate a minimum of 25% of nonrecurring revenue to the UAL of the state retirement systems: LASERS, TRSL, the La. School Employees' Retirement System, and the La. State Police Retirement System. Authorizes the legislature to provide by law for distribution of nonrecurring monies appropriated pursuant to the provisions of <u>proposed constitutional amendment</u>. Further provides that if the legislature has not provided for an alternative distribution formula, nonrecurring money shall be appropriated to each system in the proportion that the system's total UAL bears to the total of all state system UAL, using the most recent system valuations adopted by the Public Retirement Systems' Actuarial Committee or its successor. Further prohibits these extra debt payments from being used directly or indirectly to fund cost-of-living increases for such systems.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on October 14, 2023.</p> <p>(Amends Const. Art. VII, §10(D)(2)(b)(ii) and (iii))</p>
<p><b>Proposed Amendment No. 4</b></p>	<p><b>Do you support an amendment to deny a property tax exemption to a nonprofit corporation or association that owns residential property in such a state of disrepair that it endangers public health or safety?</b></p>
	<p><a href="#">2023 Regular Session, ACT 48 (HB 46)</a></p> <p><u>Existing constitution</u> provides for the classification and assessment of property subject to ad valorem taxation. Further provides an exclusive list of types of property that, in addition to property to which the homestead exemption applies, shall be exempt from ad valorem taxation.</p> <p><u>Existing constitution</u> authorizes an exemption from ad valorem taxation for property owned by a nonprofit corporation or association organized and operated exclusively for one or more of the following purposes:</p>

**Proposed  
Amendment  
No. 4  
*continued***

- (1) Religious purposes.
- (2) Dedicated places of burial.
- (3) Charitable purposes.
- (4) Purposes relating to health and welfare.
- (5) Fraternal purposes.
- (6) Educational purposes.

Existing constitution establishes conditions which must be satisfied in order for a nonprofit corporation or association to obtain the ad valorem tax exemption afforded by existing constitution.

Proposed constitutional amendment provides that none of the property otherwise qualifying for the ad valorem tax exemption established in existing constitution shall be exempt if the property is owned by a nonprofit corporation or association and the governing authority of the municipality or parish in which the property is located determines all of the following:

- (1) The property is leased as housing, is in a state of disrepair, and manifests conditions which endanger the health or safety of the public.
- (2) The owner of the property habitually neglects its maintenance as evidenced by three or more sustained code enforcement violations issued for the property in the prior 12 months for matters that endanger the health or safety of residents of the property or of persons in the area surrounding the property.

Proposed constitutional amendment provides that, for purposes of classifying code enforcement violations, matters deemed to endanger health or safety include structural instability due to deterioration; injurious or toxic ventilation; contaminated or inoperable water supply; holes, breaks, rotting materials, or mold in walls; roof defects that admit rain; unsecured overhang extensions in danger of collapse; a hazardous electrical system; improper connection of fuel-burning appliances or equipment; an inactive or inoperable fire detection system; an unsecured or contaminated swimming pool; or any combination of these.

Proposed constitutional amendment stipulates that an ad valorem tax exemption denied or revoked pursuant to proposed constitutional amendment may be issued or reinstated if the governing authority of the municipality or parish in which the property is located determines that the conditions that disqualified the property for the exemption no longer exist.

Proposed constitutional amendment applies to all tax years beginning on or after January 1, 2024.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on October 14, 2023.

(Amends Const. Art. VII, §21(B))

# 2023 Proposed Constitutional Amendments

Election Date: November 18, 2023

Proposed Amendment No. 1	Do you support an amendment to clarify that the timing of gubernatorial action on a bill and his return of a vetoed bill to the legislature is based upon the legislative session in which the bill passed and to authorize the legislature, if it is in session, to reconsider vetoed bills without convening a separate veto session?
	<p><a href="#">2022 Regular Session, ACT 278 (HB 166)</a></p> <p><u>Existing constitution</u> provides that if the governor does not approve a bill, he may veto it. Provides that a bill shall become law if the governor signs it or if he fails to sign or veto it within 10 days after delivery to him if the legislature is in session on the 10th day after such delivery, or within 20 days after delivery if the 10th day after delivery occurs after the legislature is adjourned. Provides that if the governor vetoes a bill, he shall return it to the legislature, with his veto message, within 12 days after delivery to him if the legislature is in session and if the governor returns a vetoed bill after the legislature adjourns, he shall return it, with his veto message, as provided by law.</p> <p><u>Proposed constitutional amendment</u> relates the deadline for gubernatorial action on a bill and the deadline for the governor returning a vetoed bill to the legislature to the session in which the bill passed.</p> <p><u>Existing constitution</u> provides that unless a majority of the elected members of either house has declared in writing that a veto session is unnecessary, the legislature shall meet in veto session in the state capital. Further provides that no veto session shall exceed five calendar days, and any veto session may be finally adjourned prior to the end of the fifth day upon the vote of two-thirds of the elected members of each house.</p> <p><u>Present constitution</u> provides that the veto session convenes at noon on the 40th day following final adjournment of the most recent session to consider all vetoed bills.</p> <p><u>Proposed constitutional amendment</u> provides that the veto session convenes at noon on the 40th day following final adjournment of each session in which a bill was vetoed. Specifies that the purpose of a veto session is to consider all vetoed bills that were not reconsidered by the house of origin during the session in which the bill passed. Further authorizes the legislature, if a veto session is to be held and the time period for the conduct of the veto session occurs during a regular or extraordinary session, to reconsider the vetoed bills not previously reconsidered as part of the business of the regular or extraordinary session without the necessity of convening or adjourning a separate veto session.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 18, 2023.</p> <p>Provides that if approved by a majority of the voters voting thereon in the state, the <u>proposed constitutional amendment</u> shall become effective on January 8, 2024.</p> <p>(Amends La. Const. Art. III, §18)</p>

<p><b>Proposed Amendment No. 2</b></p>	<p><b>Do you support an amendment to remove provisions of the Constitution of Louisiana which created the following inactive special funds within the state treasury: Atchafalaya Basin Conservation Fund, Higher Education Louisiana Partnership Fund, Millennium Leverage Fund, Agricultural and Seafood Products Support Fund, First Use Tax Trust Fund, Louisiana Investment Fund for Enhancement and to provide for the transfer of any remaining monies in such funds to the state general fund?</b></p>
	<p><a href="#">2023 Regular Session, ACT 199 (HB 254)</a></p> <p><u>Present constitution</u> (Art. VII, Sec. 4(D)(4)(b)) establishes the Atchafalaya Basin Conservation Fund and provides for deposits and uses of monies in the fund for projects under the Atchafalaya Basin Program within the Coastal Protection and Restoration Authority. Provides for implementation of the fund contingent upon certain conditions being met.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> (Art. VII, Sec. 10.4) establishes the Higher Education Louisiana Partnership Fund and provides for deposits into and uses of monies in such fund.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> (Art. VII, Sec. 10.10) establishes the Millennium Leverage Fund and provides for deposits into and uses of monies in such fund.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> (Art. VII, Sec. 10.12(B) and (C)) establishes the Agricultural and Seafood Products Support Fund and provides for deposits and uses of monies in such fund.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> (Art. IX, Sec. 9) establishes the First Use Tax Trust Fund and provides for deposits and uses of monies in such fund.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Present constitution</u> (Art. IX, Sec. 10) establishes the Louisiana Investment Fund for Enhancement and provides for deposits into and uses of monies in such fund.</p> <p><u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p> <p><u>Proposed constitutional amendment</u> provides for the transfer to the state general fund of any remaining monies in the repealed funds upon the adoption of <u>proposed constitutional amendment</u>.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 18, 2023.</p> <p>(Repeals Const. Art. VII, §§4(D)(4)(b), 10.4, 10.10, and 10.12(B) and (C) and Const. Art. IX, §§9 and 10)</p>

<b>Proposed Amendment No. 3</b>	<b>Do you support an amendment to authorize the local governing authority of a parish to provide an ad valorem tax exemption for qualified first responders?</b>
	<p data-bbox="326 289 824 321"> <a href="#">2023 Regular Session, ACT 179 (SB 127)</a> </p> <p data-bbox="326 359 1511 422"> <u>Present constitution</u> authorizes the imposition of ad valorem property taxes by local governing authorities.         </p> <p data-bbox="326 464 1511 562"> <u>Present constitution</u> provides that certain property is exempt from ad valorem taxation including property qualifying for the homestead exemption, which applies to the first \$7,500 of the assessed valuation of property.         </p> <p data-bbox="326 600 1511 737"> <u>Proposed constitutional amendment</u> retains <u>present constitution</u> and authorizes parish governing authorities to approve an additional ad valorem tax exemption of up to \$2,500 of the assessed valuation of property receiving the homestead exemption that is owned and occupied by a qualified first responder.         </p> <p data-bbox="326 772 1511 871"> <u>Proposed constitutional amendment</u> defines "first responder" as a full-time public employee whose duties include responding rapidly to an emergency and who resides in the same parish in which their employer is located. Provides that the term includes the following:         </p> <ol data-bbox="326 909 1511 1213" style="list-style-type: none"> <li data-bbox="326 909 1511 972">(1) Peace officer, which means any sheriff, police officer, or other person deputized by proper authority to serve as a peace officer.</li> <li data-bbox="326 1010 683 1041">(2) Fire protection personnel.</li> <li data-bbox="326 1079 1146 1110">(3) An individual certified as emergency medical services personnel.</li> <li data-bbox="326 1148 1511 1213">(4) An emergency response operator or emergency services dispatcher who provides communication support services for an agency by responding to requests for assistance in emergencies.</li> </ol> <p data-bbox="326 1251 1511 1314"> <u>Proposed constitutional amendment</u> shall only apply in a parish if it is approved by the parish governing authority.         </p> <p data-bbox="326 1352 1511 1415"> <u>Proposed constitutional amendment</u> requires that each tax assessor establish a procedure whereby a person may annually apply for the exemption provided for in proposed constitutional amendment.         </p> <p data-bbox="326 1453 1511 1589"> <u>Proposed constitutional amendment</u> requires that any decrease in a taxing district's total amount of ad valorem tax collected as a result of <u>proposed constitutional amendment</u> be absorbed by the district's taxing authority. Provides that implementation of the exemption established by <u>proposed constitutional amendment</u> shall neither trigger nor be cause for a reappraisal of property or an adjustment of millages.         </p>

<p><b>Proposed Amendment No. 3</b> <i>continued</i></p>	<p><u>Proposed constitutional amendment</u> provides a first responder means a volunteer firefighter who has completed within the tax year no fewer than twenty-four hours of firefighter continuing education and is an active member of the Louisiana State Firemen's Association or is on the departmental personnel roster of the Volunteer Firefighter Insurance Program of the office of state fire marshal.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 18, 2023.</p> <p>Effective January 1, 2024, and applicable to ad valorem taxes due beginning in tax year 2024 and thereafter.</p> <p>(Adds Const. Art. VII, §21(O))</p>
<p><b>Proposed Amendment No. 4</b></p>	<p><b>Do you support an amendment authorizing the legislature, after securing a two-thirds vote of each house, to use up to two hundred fifty million dollars from the Revenue Stabilization Trust Fund to alleviate a budget deficit subject to conditions set forth by law and allowing the legislature to modify such conditions for accessing the monies in the fund, subject to two-thirds vote?</b></p>
	<p><a href="#"><u>2023 Regular Session, ACT 198 (HB 244)</u></a></p> <p><u>Existing constitution</u> establishes the Revenue Stabilization Trust Fund and provides for deposits and uses of monies in the fund. Authorizes use of monies in the fund for certain specified purposes if the balance of the fund at the beginning of the year is in excess of \$5 billion.</p> <p><u>Present constitution</u> authorizes use of monies in the fund in such circumstances for capital outlay projects and transportation infrastructure. <u>Proposed constitutional amendment</u> authorizes use of monies in the fund for capital outlay projects, transportation infrastructure, or both.</p> <p><u>Present constitution</u> restricts appropriations from the fund in such circumstances to a maximum of 10% of the fund balance. <u>Proposed constitutional amendment</u> restricts appropriations from the fund in such circumstances to a maximum aggregate of 10% of the fund balance.</p> <p><u>Present constitution</u> authorizes the legislature to alter the minimum fund balance or maximum withdrawal percentage by law enacted by 2/3 of the elected members of each house of the legislature. <u>Proposed constitutional amendment</u> authorizes the legislature to alter the minimum fund balance, the maximum withdrawal percentage, or both by law enacted by 2/3 of the elected members of each house of the legislature.</p> <p><u>Present constitution</u> provides that to ensure that the money in the fund is available for appropriation in an emergency, the legislature may authorize an appropriation from the fund at any time and for any purpose after consent of 2/3 of the elected members of each house of the legislature regardless of the fund balance and without a maximum cap on withdrawals. <u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.</p>

<p><b>Proposed Amendment No. 4 <i>continued</i></b></p>	<p><u>Proposed constitutional amendment</u> provides for the monies in the Revenue Stabilization Fund to be used to offset deficits in the current or next fiscal year. Provides for monies from the fund to offset a deficit only after the maximum allowable amount of monies have been withdrawn from the Budget Stabilization Fund established in <u>existing constitution</u>. Additionally, requires the consent of 2/3 of the elected members of each house of the legislature for such appropriation and institutes a maximum withdrawal of \$250 million for each such deficit. Authorizes the legislature to alter the maximum amount that may be withdrawn by law enacted by 2/3 of the elected members of each house of the legislature.</p> <p>Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 18, 2023.</p> <p>(Amends Art. VII, §10.15(E)(1) and (F); Adds Art. VII, §10.15(G))</p>
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